

Message

From: Kupchan, Simma [Kupchan.Simma@epa.gov]
Sent: 6/25/2020 2:45:46 PM
To: Hurl, Kathy [Hurl.Kathy@epa.gov]; Hicks, Matt [Hicks.Matthew@epa.gov]; Nagrani, Kavita [Nagrani.Kavita@epa.gov]; Calli, Rosemary [Calli.Rosemary@epa.gov]; Laycock, Kelly [Laycock.Kelly@epa.gov]; McGill, Thomas [McGill.Thomas@epa.gov]
CC: Palmer, Leif [Palmer.Leif@epa.gov]; Ghosh, Mita [Ghosh.Mita@epa.gov]
Subject: RE: FL Assumption NOC

Ex. 5 AC/DP

Simma Kupchan
EPA Office of General Counsel
Water Law Office
WJC North Building # 7426Q
202-564-3105

From: Hurl, Kathy <Hurl.Kathy@epa.gov>
Sent: Thursday, June 25, 2020 9:35 AM
To: Hicks, Matt <Hicks.Matthew@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Laycock, Kelly <Laycock.Kelly@epa.gov>; McGill, Thomas <McGill.Thomas@epa.gov>
Cc: Palmer, Leif <Palmer.Leif@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Subject: RE: FL Assumption NOC

Thanks for all your work on these, I sent forward to my management (John on down) with the requested caveats. I also indicated that David may look to Mary and Dave to make the call.

Just one question for you all,

Ex. 5 AC/DP

Ex. 5 AC/DP

From: Hicks, Matt <Hicks.Matthew@epa.gov>
Sent: Wednesday, June 24, 2020 9:16 PM
To: Kupchan, Simma <Kupchan.Simma@epa.gov>; Hurl, Kathy <Hurl.Kathy@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Laycock, Kelly <Laycock.Kelly@epa.gov>; McGill, Thomas <McGill.Thomas@epa.gov>
Cc: Palmer, Leif <Palmer.Leif@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Subject: RE: FL Assumption NOC

Thanks Simma and I think you captured it well. I've copied Leif and Mita for their information and I've highlighted your request below that we not circulate beyond immediate management (e.g., not political yet) until we hear from David.

If David's decision is to let the changes stand, I had some suggested language that could be added to improve the language of both. From my 6/24 email at 2:54pm:

Ex. 5 AC/DP

Ex. 5 AC/DP

Many thanks for your quick attention to this.

- Matt

From: Kupchan, Simma <Kupchan.Simma@epa.gov>

Sent: Wednesday, June 24, 2020 5:59 PM

To: Hurld, Kathy <Hurld.Kathy@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Laycock, Kelly <Laycock.Kelly@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>

Subject: FW: FL Assumption NOC

FYI. Hopefully I didn't botch too badly. Please don't circulate too widely (beyond immediate management, not political yet) until we hear from David – should have his feedback by 10 am.

Simma Kupchan
EPA Office of General Counsel
Water Law Office
WJC North Building # 7426Q
202-564-3105

From: Kupchan, Simma

Sent: Wednesday, June 24, 2020 5:57 PM

To: Fotouhi, David <fotouhi.david@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>

Subject: RE: FL Assumption NOC

Thanks, David. Carrie and I have discussed this issue with Region 4, and I have discussed separately with OW staff, and of the list of issues Mary forwarded of proposed changes to Florida's rules, we think

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Thanks for your attention.

Simma Kupchan
EPA Office of General Counsel
Water Law Office
WJC North Building # 7426Q
202-564-3105

From: Fotouhi, David <Fotouhi.David@epa.gov>

Sent: Wednesday, June 24, 2020 3:36 PM

To: Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>

Subject: FW: FL Assumption NOC

Please see below

David Fotouhi

Principal Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Walker, Mary <walker.mary@epa.gov>

Sent: Wednesday, June 24, 2020 3:00 PM

To: Fotouhi, David <Fotouhi.David@epa.gov>; Ross, David P <ross.davidp@epa.gov>

Cc: Palmer, Leif <Palmer.Leif@epa.gov>

Subject: FW: FL Assumption NOC

David,

Below is the language in the Notice of Change that

Ex. 5 AC/DP

Thanks

Mary

From: Hicks, Matt <Hicks.Matthew@epa.gov>

Sent: Tuesday, June 23, 2020 2:12 PM

To: Walker, Mary <walker.mary@epa.gov>

Cc: Palmer, Leif <Palmer.Leif@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Ashbee, Blake <ashbee.blake@epa.gov>; Allenbach, Becky <Allenbach.Becky@epa.gov>

Subject: FW: FL Assumption NOC

Mary,

As discussed during our briefing, here's a summary of the relevant portions of the Notice of Change **Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP)

Simma Kupchan (OGC) and Kathy Hurl (OWOW) had some additional thoughts on this which I'm happy to forward if it would be helpful.

Thank you,

Matt

From: Hicks, Matt

Sent: Friday, June 19, 2020 12:16 PM

To: Kupchan, Simma <Kupchan.Simma@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Laycock, Kelly <laycock.kelly@epa.gov>; Hurlid, Kathy <Hurlid.Kathy@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>

Subject: FL Assumption NOC

Team,

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